

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PAUL PIZZUTO,
Plaintiff,

v.

AIRBORNE EXPRESS, INC., STEVEN
CROSSKEN, JOSEPH HAMILTON,
GREG SWEATT AND ARTHUR
LEVERIS,
Defendants.

)
)
)
)
)
)
)
)
)
)
)

DOCKET NO. 04-12492 GAO

**JOINT MOTION TO EXTEND TIME FOR COMPLETION OF FACT DISCOVERY
AND FOR CONTINUANCE OF STATUS CONFERENCE**

The parties respectfully move for a further extension of the time for completion of fact discovery from 3/31/06 to 7/31/06 and to continue the Status Conference from 4/24/06 to a date in mid-August 2006. In support of this motion, the parties state:

1. This is a complex employment discrimination case involving multiple claims, numerous witnesses in diverse locations and events spanning several years.
2. The case is more complex and more time intensive than initially expected by the parties.
3. Complicating the discovery process has been the need for change of counsel for Defendants on two occasions. The initial attorney for Defendants who was handling discovery has left for another firm. The other attorney on the matter is out of the office due to the birth of his first child, resulting in the recent assignment of the case to the undersigned attorney for Defendants.
4. The parties have engaged in settlement discussions but these efforts have proved

unsuccessful at this time.

5. The parties ask the Court to grant the requested extension so that the parties can engage in necessary deposition discovery to narrow the issues.

6. The parties are mindful and respectful of the Court's desire to avoid unnecessary delay, but hope that under the circumstances the Court will allow this joint motion.

7. In further support of this motion, both parties agree to the need for the extension and neither side will be prejudiced as a result.

WHEREFORE, for the foregoing reasons, the parties respectfully request that the deadline for completion of fact discovery be extended from 3/31/06 to 7/31/06 and that the Status Conference be continued from 4/24/06 to a date in mid-August 2006.

PAUL PIZZUTO,

AIRBORNE EXPRESS, INC., STEVEN
CROSSKEN, JOSEPH HAMILTON,
GREG SWEATT, AND ARTHUR
LEVERIS,

By his attorneys,

By their attorneys,

/s/ Richard A. Mulhearn
Richard A. Mulhearn BBO# 359680
Law Office of Richard A. Mulhearn, P.C.
41 Elm Street
Worcester, Massachusetts 01609
(508) 753-9999

/s/ Sheryl D. Eisenberg
Sheryl D. Eisenberg BBO# 641304
Sullivan, Weinstein & McQuay, P.C.
Two Park Plaza
Boston, MA 02116-3902
(617) 348-4300

Dated: February 17, 2006.